

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,

Plaintiff,

v.

ABDUL MAJID,

Defendant.

Case No. 3:18-cr-00077-MMD-CSD-2

ORDER

The Court sentenced Defendant Abdul Majid to a term of 46 months, followed by two years of supervised release, on one count of conviction for possession with intent to distribute a controlled substance. (ECF No. 157.) Before the Court is Majid's motion for a sentence reduction under 18 U.S.C. § 3582(c) ("Motion"). (ECF No. 177.)¹ For the reasons discussed below, the Court denies the Motion.

Majid seeks a reduction in his sentence under United States Sentencing Commission Guideline Amendment 821 relating to criminal history. Part B, Subpart 1 of Amendment 821 creates new Chapter Four guidelines at § 4C1.1, decreasing by two the offense levels for a defendant who did not receive any criminal history points and whose pertinent offense did not involve specific aggravating factors.² Majid is correct that he is eligible for a reduction of his total offense level under § 4C1.1. However, the reduction in offense level does not affect his sentence and does not warrant a reduction in the time he must serve.

The Motion incorrectly identified Majid's total offense level as 38. (ECF No. 177 at

¹The Court has reviewed the government's response (ECF No. 179) and Majid's reply (ECF No. 180).

²These amendments became retroactively effective February 1, 2024.

2.) Majid's total offense level was 27. (ECF No. 156 at 7.) The Court ultimately applied a four-level variance to impose a sentence of 46 months (as Majid requested).³ Thus, even with a two-level reduction under § 4C1.1, resulting in a change in the total offense level from 27 to 25, the reduction does not affect Majid's sentence. In other words, the Court imposed a sentence that is below even the revised guideline calculation. The Court finds Majid is entitled to no further reduction under § 4C1.1.

For the foregoing reasons, the Court denies Majid's motion for a sentence reduction (ECF No. 177).

DATED THIS 7th Day of March 2024.



MIRANDA M. DU
CHIEF UNITED STATES DISTRICT JUDGE

³To the extent Majid argues that the Court should have imposed the same sentence as the sentence imposed on co-defendant Haseeb Malik, the Court did consider sentencing disparity in sentencing both defendants.